

1 The Honorable Thomas S. Zilly
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

DONALD E. MacCORD, JR.,
SHANNON D. DOYLE, and
DIGI OUTDOOR MEDIA, INC.

Defendants.

Case No. 2:17-cv-1809

FINAL PARTIAL JUDGMENT AS
TO DEFENDANT DIGI OUTDOOR
MEDIA, INC.

1 The Securities and Exchange Commission having filed a Complaint and Defendant
 2 DIGI OUTDOOR MEDIA, INC. (“Defendant”) having entered a general appearance;
 3 consented to the Court’s jurisdiction over Defendant and the subject matter of this action;
 4 consented to entry of this Final Partial Judgment; waived findings of fact and conclusions of
 5 law; and waived any right to appeal from this Final Partial Judgment;

6 Defendant having consented to entry of this Final Partial Judgment, which is based on
 7 conduct that occurred during a time it was managed by Donald E. MacCord, Jr., acting as
 8 Defendant’s CEO (“McCord”), and Shannon D. Doyle, acting as Defendant’s CFO (“Doyle”),
 9 who later pleaded guilty to conduct in the case known as *United States v. MacCord and Doyle*
 10 filed on November 28, 2017, in the United States District Court for the Northern District of
 11 California as Case No. CR 17-00592 WHA (the “Criminal Case”); and

12 In accordance with and subject to the *Consent of Defendant Digi Outdoor Media, Inc.*
 13 *To Entry of Final Judgment* dated April 20, 2022, docket no. 67-1:

14 **I.**

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
 16 permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the
 17 Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5
 18 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of
 19 interstate commerce, or of the mails, or of any facility of any national securities exchange, in
 20 connection with the purchase or sale of any security:

- 21 (a) to employ any device, scheme, or artifice to defraud;
- 22 (b) to make any untrue statement of a material fact or to omit to state a material
 fact necessary in order to make the statements made, in the light of the
 circumstances under which they were made, not misleading; or
- 23 (c) to engage in any act, practice, or course of business which operates or would
 operate as a fraud or deceit upon any person.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
 27 Rule 65(d)(2) of the Federal Rules of Civil Procedure, the foregoing paragraph also binds the
 28 following who receive actual notice of this Final Partial Judgment by personal service or

1 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other
2 persons in active concert or participation with Defendant or with anyone described in (a).

3 **II.**

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
5 Defendant is permanently restrained and enjoined from violating Section 17(a) of the
6 Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any
7 security by the use of any means or instruments of transportation or communication in
8 interstate commerce or by use of the mails, directly or indirectly:

9 (a) to employ any device, scheme, or artifice to defraud;
10 (b) to obtain money or property by means of any untrue statement of a material
11 fact or any omission of a material fact necessary in order to make the
12 statements made, in light of the circumstances under which they were made,
13 not misleading; or
14 (c) to engage in any transaction, practice, or course of business which operates or
15 would operate as a fraud or deceit upon the purchaser.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
17 Rule 65(d)(2) of the Federal Rules of Civil Procedure, the foregoing paragraph also binds the
18 following who receive actual notice of this Final Partial Judgment by personal service or
19 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other
20 persons in active concert or participation with Defendant or with anyone described in (a).

21 **III.**

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is
23 incorporated herein with the same force and effect as if fully set forth herein, and that
24 Defendant shall comply with all of the undertakings and agreements set forth therein.

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27 **IV.**
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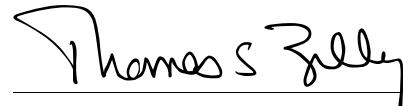
1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall
2 retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Partial
3 Judgment.

4 V.

5 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of
6 Civil Procedure, the Clerk is ordered to enter this Final Partial Judgment forthwith and
7 without further notice.

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9 Dated: May 18, 2022

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12 Thomas S. Zilly
13 United States District Judge
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